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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/897,141	07/03/2001	Masanori Yabu	0229-0649P	1199

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EXAMINER

DUONG, THANH P

ART UNIT	PAPER NUMBER
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3711

DATE MAILED: 06/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/897,141

Applicant(s)

YABU, MASANORI

Examiner

Tom P Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Objections*

1. Claims 1-11 are objected to because of the following informalities:

With respect to claim 1, line 2 "sloe" should read "sole"

With respect to claims 2-4 and 9-11, line 1 "clam 1" should read "claim 1"

With respect to claim 5, line 1 "clam 2" should read "claim 2"

With respect to claim 6, line 1 "clam 3" should read "claim 3"

With respect to claims 7-8, line 1 "clams" should read "claims"

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 7-8, and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wakita et al (5,056,705) in view of Anderson (5,024,437). With respect to claims 1-2, Wakita discloses a golf club head (Fig. 3) comprising a face (13) for hitting a golf ball, a crown (14), a sole (19), a sidewall extending from the periphery of the sole towards the crown excluding the face, and a neck (15) to be fixed to a shaft (15), and the face member (Fig. 6, 111) and the crown member (Fig. 6, 112) each made by plastic deformation processing (Col. 1, lines 35-44). Wakita disclose a golf club having a cast article (10) which includes a sidewall, crown,

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made by monoblock casting except a sole member which is pressed; however, Anderson discloses that it is desirable to use casting material in the main body (12) to have a lighter weight to reduce the overall weight of the golf club. This casting main body includes a casting sole member. Thus, it would have been obvious in view of Anderson to one having ordinary skill in the art at the time of the invention was made to modify the pressed sole member of Wakita to include a casting sole member of Anderson in order to have a lighter overall golf club's weight. With respect to claims 1 and 3, it is conventional to weld the pressed, forged, or casting members (face, neck, crown, sidewall, and sole) of a golf club to form an integrated golf club head structure. With respect to claim 7, Wakita discloses the golf club head having a monoblock casting of a lost-wax process (Col. 3, lines 20-22). With respect to claim 8, Wakita discloses that the pressed shell pieces such as a face shell piece 111 is pressed by a press machine and it is inherent that these pressed shell pieces are formed from a rolled sheet metal. (Col. 1, lines 35-44). With respect to claims 10-11, it appears that the Wakita's golf club design have a sweet spot height less than 28.0 mm and a depth of center of gravity less than 36.0mm. Furthermore, Applicant has not disclosed the criticality of such height and depth; thus, it would have been obvious to one of ordinary skill in the art to expect the golf Wakita's golf club to perform equally as well as the Applicant's invention.

3. Claims 4-6 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over the references applied in claim 1 above, and in further view of Rugge et al. (5,851,160). Wakita does not expressly disclose the volume of the golf club head; however, Rugge et al. it is desirable to have an oversized golf club head having a head volume 250.cubic centimeters or greater with a density or specific gravity close to 4.5 g/cc to provide an enlarged sweet spot area and high

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moment of inertia about the vertical y-axis passing thru the center of gravity. Thus, it would have been obvious in view of Rugge et al. to one having ordinary skill in the art at the time of the invention was made to fabricate a golf club head of Wakita to have a volume head greater or not less than 250 cc or 350cc with a density or specific gravity close to 4.5 g/cc to gain the benefits as taught above by Rugge et al.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom P Duong whose telephone number is (703) 305-4559. The examiner can normally be reached on 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Sewell can be reached on (703) 308-2126. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-9302 for regular communications and (703) 746-9302 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-4119.

Tom Duong  
June 21, 2002

  
Paul T. Sewell  
Supervisory Patent Examiner  
Group 3700